



CASE C-314 DIV

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Stuart E. Krieger
Type or print name

Stuart E. Krieger
Signature

August 4 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Malcolm I. Falconer

APPLICATION NO: 10/780,240

FILED: February 17, 2004

FOR: IMPROVEMENTS RELATING TO OSTOMY POUCHES

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

Sir:

The Notice of Incomplete Nonprovisional Application dated June 15, 2004 (a copy of which is enclosed) has a shortened statutory time set to expire on August 15, 2004.

In response, applicant now submits copies of the following documents:

- 1) newly executed Substitute Declaration and Power of Attorney; and
- 2) copy of application including the appropriate drawings.

The Commissioner is hereby authorized to charge any I fees which may be required, to Account No. 02-3869 in the name of Bristol-Myers Squibb Company.

A Petition is also being submitted to the Office of Petition requesting the filing date of February 17, 2004. A copy of the Petition is enclosed.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
100 Headquarters Park Drive
Skillman, NJ 08558
908-904-2376

Date: *August 4, 2004*

Stuart E. Krieger
Stuart E. Krieger
Attorney for Applicant
Reg. No. 28,731



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/780,240	02/17/2004	Malcolm I. Falconer	C-314 DIV

26079
 BRISTOL-MYERS SQUIBB COMPANY
 100 HEADQUARTERS PARK DRIVE
 SKILLMAN, NJ 08558



CONFIRMATION NO. 9660

FORMALITIES LETTER



OC000000012928653

Date Mailed: 06/15/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE